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EXAMINER

MOORE, IAN N

ART UNIT	PAPER NUMBER
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2616

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/771,120	Applicant(s) JOHANSSON, STEFAN	
	Examiner Ian N. Moore	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 13-22 and 24-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 13-22 and 24-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6-27-2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Sweden on 10/08/1999. It is noted, however, that applicant has not filed a certified copy of the **Sweden 9903637-8** application, in this instant CIP application or its parent application (09/684,057) as required by 35 U.S.C. 119(b).
2. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in European Patent Office on 1/17/2001. It is noted, however, that applicant has not filed a certified copy of the **EPO 01850013.2** application, in this instant CIP application or its parent application (09/684,057) as required by 35 U.S.C. 119(b).

Claim Objections

3. Claims 1-10,13-22, and 24-28 are objected to because of the following informalities:

Claim 1 recites "a wireless mobile communication station" in lines 1 and 6. For consistency and clarification, it is suggested to change "a wireless mobile communication station" in line 6, to "the wireless mobile communication station".

Claim 10, 13, 22, 26 is also objected for the same reason as set forth above in claim 1.

Claim 1 recites "a originator" in lines 3 and 10. For consistency and clarification, it is suggested to change "a originator" in line 10, to "said originator" or "the originator".

Claim 10, 13, 22, 26, 27, and 28 is also objected for the same reason as set forth above in claim 1.

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Claim 1 recites "**the** originator" in line 12 and 24 and "**said** originator" in lines 17, 19, and 21. For consistency and clarification, it is suggested to change all instances of "the originator" to "said originator", vice-versa.

Claim 10, 13, 22, 26, 27, and 28 is also objected for the same reason as set forth above in claim 1.

Claims 2-9, 14-21, 24 and 25 are also objected since they are depended upon rejected claims 1 and 13 as set forth above.

Appropriate correction is required.

Claim Rejections - 35 USC § 112 (First Paragraph)

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Amended Claim 13-21, 22 and 25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Amended claim 13 recites, "**a computing system of an originator executing computer-executable components stored on one or more computer-readable media; thereby causing the computer system of the originator**" in lines 7-10, 25-27. The applicant original disclosure fails to support the above mentioned newly added BOLD limitations. FIG. 1 discloses a push server 50 (i.e. an originator) performing the

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transmission to/from mobile station 20, but the original disclosures fails to support “*a computing system... executing computer-executable components stored on one or more computer-readable media, thereby causing the computer system*”. Amended Claim 13 also recites, “**a computing system of the message system executing computer-executable components stored on one or more computer-readable media, thereby causing the computer system of the originator**”. The applicant original disclosure fails to support the above mentioned newly added BOLD limitations. FIG. 1 discloses a short message server SMS-C 30 (i.e. the message system) performing the transmission to mobile station 20, but the original disclosures fails to support “*a computing system ... executing computer-executable components stored on one or more computer-readable media, thereby causing the computer system*”.

Amended claim 22 recites, “**a processor of an originator executing computer-executable components stored on one or more computer-readable media**” in lines 7-10, 25-27. The applicant original disclosure fails to support the above mentioned newly added BOLD limitations. FIG. 1 discloses a push server 50 (i.e. an originator) performing the transmission to/from mobile station 20, but the original disclosures fails to support “*a processor... executing computer-executable components stored on one or more computer-readable media*”. Amended Claim 22 also recites, “**a processor of the message system executing computer-executable components stored on one or more computer-readable media**”. The applicant original disclosure fails to support the above mentioned newly added BOLD limitations. FIG. 1 discloses a short message server SMS-C 30 (i.e. the message system) performing the transmission to mobile station 20, but the original

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disclosures fails to support “a processor ... executing computer-executable components stored on one or more computer-readable media”.

Claims 14-21 and 25 are also rejected since they are depended upon rejected claim 13 as set forth above.

Claim Rejections - 35 USC § 112 (second paragraph)

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-10,13-22,24 and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites, “**a method at a wireless mobile communication station...the method comprising: a microprocessor of a wireless communication station...causing the wireless mobile communication station to: receive...acquire...establish...**” The claim recites both statutory classes of “method” and “apparatus” (i.e. wireless communication station), and thus it is unclear whether the claim is “a method” or “apparatus” claim.

Claim 10 is also rejected for the same reason as set forth above in claim 1.

Claim 13 recites, “**a method of a system....the method comprising: a computing system of an originator...**a computer system** of the message system...**a microprocessor...**” The claim recites both statutory classes of “method” and “system”, and thus it is unclear whether the claim is “a method” or “a system” claim.**

Claim 22 is also rejected for the same reason as set forth above in claim 13.

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Claims 2-10, 14-21, 24 and 25 are also rejected since they are depended upon rejected claims 1 and 13 as set forth above.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 2, 4-7, 13, 14, 16-19, 24, 25, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andersson (US006047194A) in view of Farah (US006501946B1).

Regarding Claim 1, Andersson discloses a method at a wireless communication station (see FIG. 1, Mobile terminal 14) for enabling the wireless mobile communication station to selectively permit desired packet data to be pushed from an originator of packet data (see FIG. 1, from Internet Host 12) to the wireless mobile communication station, the station being operatively associated with a wireless communication network providing packet data transferring services (see col. 3, line 40-47; packet switching network), the method comprising:

a microprocessor of a wireless mobile communication station executing computer-executable components (see FIG. 3, selector 146 of the CPU/processor in the mobile terminal 14 executing processes/methods; see col. 4, line 1-9), thereby causing the wireless mobile communication station to:

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receive at the wireless mobile communication station a network address of an originator of packet data that is attempting to push the packet data to the mobile communication station (see FIG. 2, 114; see FIG. 4, step 168; see col. 5, line 65 to col. 6, line 7; see col. 7, line 40-65; see col. 8, line 45-56; see col. 10, line 57-57; mobile terminal receives an SMS message with in identifier (i.e. Origination Address (OA) according to GSM's SMS standard) of the origination source/host that is trying to send packet data),

wherein the network address of the originator is received in a message (see FIG. 1, a SMS message with OA is received at mobile terminal)) from a message service (see FIG. 1, Short Message Service-Center (SMS-C) 56 issues an SMS message, (see dash line from SMS-C 56 to mobile 14 in FIG. 1); see col. 7, line 16-64; also see FIG. 4, step 168; see col. 8, line 50-60) in response to the originator submitting a request to the message service (see FIG. 1, according to a information/request message from Internet Host 12 is sent to SMS-C 56) that a message be transmitted to the wireless mobile communication station (see col. 7, line 16-54; to transmit a SMS message with OA to mobile terminal to receive mobile's permission; (see dash line from Internet host 12 to SMS-C 56 in FIG. 1); also see FIG. 4, step 164,166; see col. 8, line 45-60);

acquire at the wireless mobile communication station an identity corresponding to the received network address (see FIG. 4, step 172; see col. 6, line 4-10; see col. 7, line 60 to col. 8, line 2, 59-65; see col. 9, line 32-35; see col. 10, line 50-56; detecting/acquiring an identity of the origination source associating with received identifier/OA);

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determine at the wireless mobile communication station, based upon the identity, whether or not packet data reception from said originator is desired (see FIG. 4, step 174; see col. 6, line 5-14; see col. 8, line 3-14, 59-65; see col. 9, line 35-40; select whether to permit transmission of packet data responsive to the identity of origination source);

and establishing at the wireless mobile station, only after it is determined that the packet data reception from said originator is desired, a packet data session with said originator (see FIG. 4, step 176; see col. 6, line 10-14; see col. 8, line 10 to col. 9, line 5, 40-44; after permitting/accepting packet transmission from origination source, a end-to-end permitted packet session/connection is established), the packet data session being established by the wireless session with said originator (see FIG. 4, step 174-178; see col. 6, line 10-14; see col. 8, line 50 to col. 9, line 5, 40-44; an end-to-end permitted packet session/connection is established between a mobile terminal and an origination source), enabling said originator to initially transmit the desired packet data only after the wireless mobile communication station has determined that packet data reception from originator is desired (see FIG. 4, step 174; see col. 6, line 5-14; see col. 8, line 3-14, 59-65; see col. 9, line 35-40; the origination source is initiated/triggered/activated to transmit packet traffic (e.g. voice/packet traffic) only after the mobile station has determined end-to-end packet traffic transmission from origination source is permitted) for receipt by the wireless mobile station (see FIG. 4, step 174-176, see col. 8, line 50 to col. 9, line 5, 40-44; packet data is triggered/activated to transmit by the origination source to the mobile station on the permitted-established session/connection), thereby enabling the wireless mobile communication station to selectively permit desired packet data to be pushed from said originator to the wireless communication station (see col. 8, line 10-14, 60-67; col. 8,

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line 65 to col. 9, line 6; thereby providing the mobile terminal to select desired origination source to receive the packet data).

Andersson does not explicitly disclose “one or more computer-readable storage media”.

However, having “one or more computer-readable storage media” or memory in the mobile station is so well known in the art as evidence by Farah. Farah discloses a microprocessor of a wireless mobile communication station (see FIG. 2, processor 206 of wireless phone 102) executing computer-executable components stored on one or more computer-readable storage media (see FIG. 2, memory 208); see col. 4, line 1-9.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide “one or more computer-readable storage media” as taught by Farah in the system of Andersson since both processor and memory or storage medium are required in order to execute or perform the method(s) of the system of Andersson.

Regarding Claim 13, Andersson discloses a method at a wireless communication station (see FIG. 1, Mobile terminal 14) for enabling the wireless mobile communication station to selectively permit desired packet data to be pushed from an originator of packet data (see FIG. 1, from Internet Host 12) to the wireless mobile communication station, the station being operatively associated with a wireless communication network providing packet data transferring services (see col. 3, line 40-47; packet switching network), the method comprising:

a computing system of an originator executing computer-executable components (see FIG. 1, CPU/processor (i.e. computing system) in the Internet Host 12 executing

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processes/methods; see col. 7, line 1-5; see col. 8, line 33-35), thereby causing the computing system of the originator to transmit, to a message service provided by the wireless communication network, (see FIG. 1, sending to Short Message Service-Center (SMS-C) 56) from an originator (see FIG. 1, Internet host 12) that is attempting to push the packet data that is attempting to push the packet data to the mobile communication station, (see col. 7, line 16-54; from the Internet host 12 that is trying/attempting to push/send the packet data to the mobile terminal), original's own network address (see col. 7, line 45-53; source IP address) and a request to transmit a message that includes said network address to the wireless communication station (see FIG. 2, 114; see FIG. 4, step 168; see col. 5, line 65 to col. 6, line 7; see col. 7, line 16-65; see col. 8, line 45-56; see col. 10, line 57-57, a information/request message to transmit an SMS message with in identifier (i.e. Origination/source Address (OA) according to GSM's SMS standard) of the origination source/host to the mobile terminal; also see dash line from Internet host 12 to SMS-C 56 in FIG. 1); also see FIG. 4, step 164,166; see col. 8, line 45-60);

a computing system of the message system executing computer-executable components (see FIG. 1, CPU/processor (i.e. computing system) in SMS-C 56 executing processes/methods; see col. 7, line 40 to see col. 8, line 6), to transmit, to the wireless communication station, from the message service, a message that includes said network address (see FIG. 1, transmitting to mobile terminal 14 from SMS-C 56 an SMS message with OA, (see dash line from SMS-C 56 to mobile 14 in FIG. 1); see col. 7, line 55-64; also see FIG. 4, step 168; see col. 8, line 50-60);

a microprocessor of a wireless mobile communication station executing computer-executable components (see FIG. 3, selector 146 of the CPU/processor in the

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mobile terminal 14 executing processes/methods; see col. 4, line 1-9), thereby causing the wireless mobile communication station to:

determine whether or not packet data reception from said originator is desired (see FIG. 4, step 174; see col. 6, line 5-14; see col. 8, line 3-14, 59-65; see col. 9, line 35-40; select whether to permit transmission of packet data responsive to the identity of origination source); and

establish, only after it is determined that the packet data reception from said originator is desired, a packet data session with said originator (see FIG. 4, step 176; see col. 6, line 10-14; see col. 8, line 10 to col. 9, line 5, 40-44; after mobile terminal permitting/accepting packet transmission from origination source, end-to-end packet session/connection is established/connected); and

a computing system of an originator executing computer-executable components (see FIG. 1, CPU/processor (i.e. computing system) in the Internet Host 12 executing processes/methods; see col. 7, line 1-5; see col. 8, line 33-35), thereby causing the computing system of the originator to,

after the wireless mobile communication station establishes the packet data session with said originator, and after the wireless communication station has determined that reception of said packet data is desired initially transmit the desired packet data (see FIG. 4, step 174-178; see col. 6, line 5-14; see col. 8, line 3-14, 50 to col. 9, line 5, 44; after the mobile station establishing a end-to-end permitted connection/session with originator source, and after the mobile station has determined packet traffic transmission from origination source is permitted, the origination source initiated/triggered/activated to transmit packet traffic (e.g. voice/packet traffic) on the permitted-established

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session/connection), thereby enabling the wireless mobile communication station to selectively permit desired packet data to be pushed from said originator to the wireless communication station (see col. 8, line 10-14, 60-67; col. 8, line 65 to col. 9, line 6; thereby providing the mobile terminal to select desired origination source to receive the packet data).

Andersson does not explicitly disclose an originator comprising "one or more computer-readable storage media", and the message system comprising "one or more computer-readable storage media", and the mobile station "one or more computer-readable storage media".

However, having "one or more computer-readable storage media" or memory in the mobile station, SMS center and original remote internet host is so well known in the art as evidence by Farah. Farah discloses a computing system of an originator (see FIG. 3, processor 304 of user) stored one or more computer-readable media (see FIG. 3, memory 308-310; see col. 4, line 16-46); a computing system of an message system (see FIG. 3, processor 304 of MSC 106 or SCP 108) stored one or more computer-readable media (see FIG. 3, memory 308-310; see col. 4, line 16-46); and a computing system of a wireless mobile communication station (see FIG. 2, processor 206 of wireless phone 102) executing computer-executable components stored on one or more computer-readable storage media (see FIG. 2, memory 208); see col. 4, line 1-9).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide "one or more computer-readable storage media" in the originator, a message system and a mobile station as taught by Farah in the system

of Andersson since both processor and memory or storage medium are required in order to execute or perform the method(s) of the system of Andersson.

Regarding Claim 2 and 14, Andersson discloses displaying said identity on displaying means (see FIG. 3, Display 144) associated with the wireless communication station (see col. 8, line 32-35); and

accepting, from a user of the wireless station, either a confirmation or a rejection regarding reception of packet data from said originator having the displayed identity (see col. 8, line 44; user of mobile terminal performs the selection to grant).

Regarding Claim 4 and 16, Andersson discloses wherein said network address of said receiving act is received in a short message (see col. 6, line 1-10; SMS), the short message being received from a short message service provided by said wireless communication network (see FIG. 1, Short Message service-center, SMS-C 56; see col. 5, line 60 to col. 6, line 10).

Regarding Claim 5 and 17, Andersson discloses establishing a packet data session using said identity (see col. 5, line 65 to col. 6, line 14; see col. 7, line 40-65; see col. 8, line 10-14,45-67; see col. 9, line 40-44; see col. 10, line 57-57).

Regarding Claim 6 and 18, Andersson discloses wherein said network address is an Internet Protocol address (see col. 7, line 40-35; IP address).

Regarding Claim 7 and 19, Andersson discloses establishing a packet data session using said identity (see FIG. 4, step 176; see col. 6, line 10-14; see col. 8, line 10-14, 60-67; see col. 9, line 40-44; establishing packet transmission using identify of origination source).

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Regarding Claim 24, Andersson discloses wherein the originator (see FIG. 1, Internet host 12) communicates with the message service (see FIG. 1, SMS-C 56) over a packet data network (see FIG. 1, Internet backbone 22); see col. 5, line 6-15.

Regarding Claim 25, Andersson discloses wherein said originator (see FIG. 1, Internet host 12) transmits its own network address (see col. 7, line 45-50; sending source IP address, or host-name) over a first communication path to said message service (see FIG. 1, FIG. 2, step 102, sending to SMS-C 56 on a path of GPMSC 46, VPMSC 44, and SMS-C 56; see col. 7, line 45-54), and wherein said originator transmits the desired packet data over a second communication path to the wireless mobile communication station (see FIG. 1, FIG. 2, step 128; sending the packet data to a mobile terminal on another path of GPMSC 46, VPMSC 44, and BS 32; see col. 8, line 3-14, 63-67), and such that said second communication path bypasses said message service (see FIG. 1, another path of GPMSC 46, VPMSC 44 and BS 32 avoid/go-around/bypass SMS-C 56; see col. 8, line 3-14, 63-67).

Regarding Claim 27, Andersson discloses for enabling a wireless mobile communication station (see FIG. 1, Mobile terminal 14) to selectively permit desired packet data to be pushed from an originator of packet data (see FIG. 1, from Internet Host 12) to the wireless mobile communication station, the wireless mobile communication station being operatively associated with a wireless communication network providing packet data transferring services (see col. 3, line 40-47; packet switching network), comprising:

computer-executable components being adapted to, when run on a microcomputer induced by the wireless station (see FIG. 3, selector 146 of the CPU/processor in the

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mobile terminal 14 executing processes/methods; see col. 4, line 1-9), causing the wireless mobile communication station to processes methods disclosed by Andersson set forth in claim 1.

Andersson does not explicitly disclose “one or more computer-readable storage media”.

However, having “one or more computer-readable storage media” or memory in the mobile station is so well known in the art as evidence by Farah. Farah discloses a microprocessor of a wireless mobile communication station (see FIG. 2, processor 206 of wireless phone 102) executing computer-executable components stored on one or more computer-readable storage media (see FIG. 2, memory 208); see col. 4, line 1-9.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide “one or more computer-readable storage media” as taught by Farah in the system of Andersson since both processor and memory or storage medium are required in order to execute or perform the method(s) of the system of Andersson.

Regarding Claim 28, Andersson discloses a wireless mobile communication station (see FIG. 1, Mobile terminal 14) arranged to be operatively associated with a wireless communication network providing packet data transferring services (see FIG. 1, wireless network that transmits packets/data) and enabled to selectively permit desired packet data to be pushed from an originator of packet data (see FIG. 1, from Internet Host 12) to the wireless mobile communication station, the wireless mobile communication station being operatively associated with a wireless communication network providing

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packet data transferring services (see FIG. 1, mobile terminal 14 in the wireless network transmits packet packets/data) the wireless mobile communication station comprising:

processing means (see FIG. 3, selector 146 of the CPU/processor in the mobile terminal 14 executing processes/methods; see col. 4, line 1-9), interface circuitry means (see FIG. 3, antenna) and user interface means (see FIG. 3, display) for performing a method of enabling desired packet data to be pushed from an originator to the wireless mobile communication station (see FIG. 1, processing packet data transmission to the mobile terminal), the method comprising:

receiving at the wireless mobile communication station a network address of an originator of packet data that is attempting to push the packet data to the mobile communication station (see FIG. 2, 114; see FIG. 4, step 168; see col. 5, line 65 to col. 6, line 7; see col. 7, line 40-65; see col. 8, line 45-56; see col. 10, line 57-57; mobile terminal receives an SMS message with in identifier (i.e. Origination Address (OA) according to GSM's SMS standard) of the origination source/host that is trying to send packet data),

wherein the network address of the originator is received in a message (see FIG. 1, a SMS message with OA is received at mobile terminal)) from a message service (see FIG. 1, Short Message Service-Center (SMS-C) 56 issues an SMS message, (see dash line from SMS-C 56 to mobile 14 in FIG. 1); see col. 7, line 16-64; also see FIG. 4, step 168; see col. 8, line 50-60) in response to the originator submitting a request to the message service (see FIG. 1, according to a information/request message from Internet Host 12 is sent to SMS-C 56) that a message be transmitted to the wireless mobile communication station (see col. 7, line 16-54; to transmit a SMS message with OA to

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mobile terminal to receive mobile's permission; (see dash line from Internet host 12 to SMS-C 56 in FIG. 1); also see FIG. 4, step 164,166; see col. 8, line 45-60);

acquiring at the wireless mobile communication station an identity corresponding to the received network address (see FIG. 4, step 172; see col. 6, line 4-10; see col. 7, line 60 to col. 8, line 2, 59-65; see col. 9, line 32-35; see col. 10, line 50-56;

detecting/acquiring an identity of the origination source associating with received identifier/OA);

determining at the wireless mobile communication station, based upon the identity, whether or not packet data reception from said originator is desired (see FIG. 4, step 174; see col. 6, line 5-14; see col. 8, line 3-14, 59-65; see col. 9, line 35-40; select whether to permit transmission of packet data responsive to the identity of origination source); and

establishing at the wireless mobile station, only after it is determined that the packet data reception from said originator is desired, a packet data session with said originator (see FIG. 4, step 176; see col. 6, line 10-14; see col. 8, line 10 to col. 9, line 5, 40-44; after permitting/accepting packet transmission from origination source, a end-to-end permitted packet session/connection is established), the packet data session being established by the wireless session with said originator (see FIG. 4, step 174-178; see col. 6, line 10-14; see col. 8, line 50 to col. 9, line 5, 40-44; an end-to-end permitted packet session/connection is established between a mobile terminal and an origination source), enabling said originator to initially transmit the desired packet data only after the wireless mobile communication station has determined that packet data reception from originator is desired (see FIG. 4, step 174; see col. 6, line 5-14; see col. 8, line 3-14, 59-65; see col.

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9, line 35-40; the origination source is initiated/triggered/activated to transmit packet traffic (e.g. voice/packet traffic) only after the mobile station has determined end-to-end packet traffic transmission from origination source is permitted) for receipt by the wireless mobile station (see FIG. 4, step 174-176, see col. 8, line 50 to col. 9, line 5, 40-44; packet data is triggered/activated to transmit by the origination source to the mobile station on the permitted-established session/connection), thereby enabling the wireless mobile communication station to selectively permit desired packet data to be pushed from said originator to the wireless communication station (see col. 8, line 10-14, 60-67; col. 8, line 65 to col. 9, line 6; thereby providing the mobile terminal to select desired origination source to receive the packet data).

Andersson does not explicitly disclose "one or more computer-readable storage media".

However, having "one or more computer-readable storage media" or memory in the mobile station is so well known in the art as evidence by Farah. Farah discloses a microprocessor of a wireless mobile communication station (see FIG. 2, processor 206 of wireless phone 102) executing computer-executable components stored on one or more computer-readable storage media (see FIG. 2, memory 208); see col. 4, line 1-9.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide "one or more computer-readable storage media" as taught by Farah in the system of Andersson since both processor and memory or storage medium are required in order to execute or perform the method(s) of the system of Andersson.

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10. Claims 3 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andersson in view of Farah, and further in view of Wang (US006614774B1).

Regarding Claim 3 and 15, Andersson discloses establishing a packet data session as set forth above in claim 1 and 13.

Neither Andersson nor Farah explicitly discloses an address translation server; and requesting translation of the network address to the corresponding identity.

However, Wang teaches establishing a packet data session (see FIG. 4, reverse DNS request/lookup) with an address translation server (see FIG. 4, DNS server 118); and requesting translation of the network address (see FIG. 4, IP address) to the corresponding identity (see FIG. 4, host name; see col. 8, line 32-47).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide DNS server and reverse DNS lookups, as taught by Wang in the combined system of Andersson and Farah, so that it would avoid DNS lookup failures and does not introduce delays and cost effective system; see Wang col. 5, line 50-60.

11. Claims 8,9, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andersson in view of Farah, and further in view of Brothers (US006822955B1).

Regarding Claim 8,9,20 and 21, Andersson discloses said identity is the originator name as set forth above claims 1 and 13, and a network server (see FIG. 1, SMS-C, VPMSC 44, or GPMSC 46).

Neither Andersson nor Farah explicitly discloses wherein said identity is an Internet domain host name of a network server.

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However, Brothers teaches wherein said identity is an Internet domain host name of a network server (see FIG. 13, a server Internet domain host name, "Disney.com").

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide an Internet domain host name as an identify, as taught by Brothers in the combined system of Andersson and Farah, so that it would provide full transparent IP mobility services for clients; see Brothers col. 1, line 60 to col. 2, line 5.

Allowable Subject Matter

12. **Claim 26** is objected to as set forth in paragraph 2, but would be allowable if rewritten to overcome the objection.

13. **Claim 10** would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph and objection set forth in paragraph 2, set forth in this Office action.

Response to Arguments

14. Applicant's arguments with respect to claims 1-9, 13-21, 24, 25, 27 and 28 have been considered but are moot in view of the new ground(s) of rejection.

Regarding claims 1-9,11-21,23-25, the applicant argued that, "...Andersson fails to teach or suggest...a method in which an originator of packet data transmits the desired packet data only after the wireless mobile communication station determined that the packet data is desired, as recited in combination with other elements...Andersson has no disclosure that the Internet Host or sending station takes any action to transmit packet

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data **between the time** that the mobile device authorizes receipt of the packet data, and the network infrastructure forwards the packet data to the mobile devices, as recited in combination with the other claim elements..." page 15-17.

In response to applicant's argument, the examiner respectfully disagrees that with argument above.

Andersson discloses said originator to initially transmit the desired packet data only after the wireless mobile communication station has determined that packet data reception from originator is desired (see FIG. 4, step 174; see col. 6, line 5-14; see col. 8, line 3-14, 59-65; see col. 9, line 35-40; the origination source is initiated/triggered/activated to transmit packet traffic (e.g. voice/packet traffic) only after the mobile station has determined end-to-end packet traffic transmission from origination source is permitted) for receipt by the wireless mobile station (see FIG. 4, step 174-176, see col. 8, line 50 to col. 9, line 5, 40-44; packet data is triggered/activated to transmit by the origination source to the mobile station on the permitted-established session/connection), thereby enabling the wireless mobile communication station to selectively permit desired packet data to be pushed from said originator to the wireless communication station (see col. 8, line 10-14, 60-67; col. 8, line 65 to col. 9, line 6; thereby providing the mobile terminal to select desired origination source to receive the packet data).

Applicant mistakenly arguing by citing the portions of Andersson which discloses the originator transmitting initial packets to the mobile terminal on non-accepted/permitted session/connection. Whether or not Andersson's originator transmitting packets on the non-permitted and non-established session/connection is

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irrelevant since it is not what the applicant is claiming. Applicant is claiming the origination source transmitting the packets, upon accepting/permitting by the mobile terminal, established accepted/permitted end-to-end session/connection, and Andersson clearly discloses applicant claimed invention as set forth above. Thus, Andersson does not teach the opposite of the applicant claimed invention.

Applicant is mistakenly arguing the registration or set up procedures routed between Internet host 12 and various MSCs (i.e. VPMSC and GPMSC) as “end-to-end packet data session”. In reality, establishing an end-to-end packet data session occurs only after the user of mobile terminal 14 is desired or accepted to receive packet data from the Internet host as described in below by Andersson.

When the SMS message indicating the originator of the packet data is received at the receiver circuitry 142, such identification is displayed upon the display element 144. A user of the mobile terminal determines, responsive to the displayed information, whether to permit transmission of the packet data to the mobile terminal 14. Selection of permission to receive the packet data is entered by way of the selector 146. **When permission is granted to transmit the packet data to the mobile terminal 14, the mobile terminal 14 registers to receive packet data. Thereafter, the packet data is routed to the mobile terminal.** (see Andersson col. 8, line 33-44)

Then, and as indicated by the block 166, the identity of the sending station from which the packet data originates is determined. **An SMS message is formed which indicates the identity of the sending station.** The SMS message is sent, as indicated by the block 168, to the mobile receiving station.

The SMS message is detected at the mobile receiving station, as indicated by the block 172. **Selection is then made, as indicated by the block 174, whether to accept transmission of the packet data originated by the sending station. And, the packet data is sent to the mobile receiving station, indicated by the block 176, if the transmission is accepted at the mobile receiving station.**

Thereby, packet data is transmitted to the mobile terminal only with the permission of the mobile terminal. **Transmission of undesired, or otherwise unsolicited, packet data is selectably prevented at the mobile terminal by denying permission to transmit the packet data thereto.** The user of the mobile terminal is able to control, thereby, which packets of data are transmitted to the mobile terminal. (see Andersson col. 8, line 55 to col. 9, line 5). (Emphasis added)

In view of the above, it is clear that an end-to-end packet data transmission over permitted/accepted end-to-end session/connection between the mobile terminal and the sending station or originator host is established only after the mobile station is accepted the transmission.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., **between the time**) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion


15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

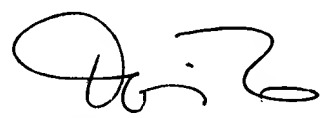
16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ian N. Moore whose telephone number is 571-272-3085. The examiner can normally be reached on 9:00 AM- 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 571-272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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11-9-07


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